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NOTICE OF ALLOWANCE AND FEE(S) DUE

22801 7590 01/18/2011

LEE & HAYES, PLLC
601 W. RIVERSIDE AVENUE
SUITE 1400
SPOKANE, WA 99201

EXAMINER

TAN, ALVIN H

ART UNIT

PAPER NUMBER

2172

DATE MAILED: 01/18/2011

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/782,732	02/19/2004	Sohail Baig Mohammed	MS1-1849US	3406

TITLE OF INVENTION: TIMELINE SOURCE

APPLN. TYPE	SMALL ENTITY	ISSUE FEE DUE	PUBLICATION FEE DUE	PREV. PAID ISSUE FEE	TOTAL FEE(S) DUE	DATE DUE
nonprovisional	NO	\$1510	\$0	\$0	\$1510	04/18/2011

THE APPLICATION IDENTIFIED ABOVE HAS BEEN EXAMINED AND IS ALLOWED FOR ISSUANCE AS A PATENT. **PROSECUTION ON THE MERITS IS CLOSED.** THIS NOTICE OF ALLOWANCE IS NOT A GRANT OF PATENT RIGHTS. THIS APPLICATION IS SUBJECT TO WITHDRAWAL FROM ISSUE AT THE INITIATIVE OF THE OFFICE OR UPON PETITION BY THE APPLICANT. SEE 37 CFR 1.313 AND MPEP 1308.

THE ISSUE FEE AND PUBLICATION FEE (IF REQUIRED) MUST BE PAID WITHIN **THREE MONTHS FROM THE MAILING DATE OF THIS NOTICE** OR THIS APPLICATION SHALL BE REGARDED AS ABANDONED. **THIS STATUTORY PERIOD CANNOT BE EXTENDED.** SEE 35 U.S.C. 151. THE ISSUE FEE DUE INDICATED ABOVE DOES NOT REFLECT A CREDIT FOR ANY PREVIOUSLY PAID ISSUE FEE IN THIS APPLICATION. IF AN ISSUE FEE HAS PREVIOUSLY BEEN PAID IN THIS APPLICATION (AS SHOWN ABOVE), THE RETURN OF PART B OF THIS FORM WILL BE CONSIDERED A REQUEST TO REAPPLY THE PREVIOUSLY PAID ISSUE FEE TOWARD THE ISSUE FEE NOW DUE.

HOW TO REPLY TO THIS NOTICE:

I. Review the SMALL ENTITY status shown above.

If the SMALL ENTITY is shown as YES, verify your current SMALL ENTITY status:

A. If the status is the same, pay the TOTAL FEE(S) DUE shown above.

B. If the status above is to be removed, check box 5b on Part B - Fee(s) Transmittal and pay the PUBLICATION FEE (if required) and twice the amount of the ISSUE FEE shown above, or

If the SMALL ENTITY is shown as NO:

A. Pay TOTAL FEE(S) DUE shown above, or

B. If applicant claimed SMALL ENTITY status before, or is now claiming SMALL ENTITY status, check box 5a on Part B - Fee(s) Transmittal and pay the PUBLICATION FEE (if required) and 1/2 the ISSUE FEE shown above.

II. PART B - FEE(S) TRANSMITTAL, or its equivalent, must be completed and returned to the United States Patent and Trademark Office (USPTO) with your ISSUE FEE and PUBLICATION FEE (if required). If you are charging the fee(s) to your deposit account, section "4b" of Part B - Fee(s) Transmittal should be completed and an extra copy of the form should be submitted. If an equivalent of Part B is filed, a request to reapply a previously paid issue fee must be clearly made, and delays in processing may occur due to the difficulty in recognizing the paper as an equivalent of Part B.

III. All communications regarding this application must give the application number. Please direct all communications prior to issuance to Mail Stop ISSUE FEE unless advised to the contrary.

IMPORTANT REMINDER: Utility patents issuing on applications filed on or after Dec. 12, 1980 may require payment of maintenance fees. It is patentee's responsibility to ensure timely payment of maintenance fees when due.

PART B - FEE(S) TRANSMITTAL

Complete and send this form, together with applicable fee(s), to: **Mail** **Mail Stop ISSUE FEE**
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INSTRUCTIONS: This form should be used for transmitting the ISSUE FEE and PUBLICATION FEE (if required). Blocks 1 through 5 should be completed where appropriate. All further correspondence including the Patent, advance orders and notification of maintenance fees will be mailed to the current correspondence address as indicated unless corrected below or directed otherwise in Block 1, by (a) specifying a new correspondence address; and/or (b) indicating a separate "FEE ADDRESS" for maintenance fee notifications.

CURRENT CORRESPONDENCE ADDRESS (Note: Use Block 1 for any change of address)

Note: A certificate of mailing can only be used for domestic mailings of the Fee(s) Transmittal. This certificate cannot be used for any other accompanying papers. Each additional paper, such as an assignment or formal drawing, must have its own certificate of mailing or transmission.

22801 7590 01/18/2011

LEE & HAYES, PLLC
601 W. RIVERSIDE AVENUE
SUITE 1400
SPOKANE, WA 99201

Certificate of Mailing or Transmission

I hereby certify that this Fee(s) Transmittal is being deposited with the United States Postal Service with sufficient postage for first class mail in an envelope addressed to the Mail Stop ISSUE FEE address above, or being facsimile transmitted to the USPTO (571) 273-2885, on the date indicated below.

(Depositor's name)
(Signature)
(Date)

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nonprovisional	NO	\$1510	\$0	\$0	\$1510	04/18/2011

EXAMINER	ART UNIT	CLASS-SUBCLASS
TAN, ALVIN H	2172	345-730000

1. Change of correspondence address or indication of "Fee Address" (37 CFR 1.363).

- ☐ Change of correspondence address (or Change of Correspondence Address form PTO/SB/122) attached.
☐ "Fee Address" indication (or "Fee Address" Indication form PTO/SB/47; Rev 03-02 or more recent) attached. Use of a **Customer Number is required.**

2. For printing on the patent front page, list

- (1) the names of up to 3 registered patent attorneys or agents OR, alternatively, 1 _____
(2) the name of a single firm (having as a member a registered attorney or agent) and the names of up to 2 registered patent attorneys or agents. If no name is listed, no name will be printed. 2 _____
3 _____

3. ASSIGNEE NAME AND RESIDENCE DATA TO BE PRINTED ON THE PATENT (print or type)

PLEASE NOTE: Unless an assignee is identified below, no assignee data will appear on the patent. If an assignee is identified below, the document has been filed for recordation as set forth in 37 CFR 3.11. Completion of this form is NOT a substitute for filing an assignment.

(A) NAME OF ASSIGNEE

(B) RESIDENCE: (CITY AND STATE OR COUNTRY)

Please check the appropriate assignee category or categories (will not be printed on the patent): ☐ Individual ☐ Corporation or other private group entity ☐ Government

4a. The following fee(s) are submitted:

- ☐ Issue Fee
☐ Publication Fee (No small entity discount permitted)
☐ Advance Order - # of Copies _____

4b. Payment of Fee(s): (Please first reapply any previously paid issue fee shown above)

- ☐ A check is enclosed.
☐ Payment by credit card. Form PTO-2038 is attached.
☐ The Director is hereby authorized to charge the required fee(s), any deficiency, or credit any overpayment, to Deposit Account Number _____ (enclose an extra copy of this form).

5. Change in Entity Status (from status indicated above)

- ☐ a. Applicant claims SMALL ENTITY status. See 37 CFR 1.27. ☐ b. Applicant is no longer claiming SMALL ENTITY status. See 37 CFR 1.27(g)(2).

NOTE: The Issue Fee and Publication Fee (if required) will not be accepted from anyone other than the applicant; a registered attorney or agent; or the assignee or other party in interest as shown by the records of the United States Patent and Trademark Office.

Authorized Signature _____ Date _____
Typed or printed name _____ Registration No. _____

This collection of information is required by 37 CFR 1.311. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, Virginia 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450.

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LEE & HAYES, PLLC 601 W. RIVERSIDE AVENUE SUITE 1400 SPOKANE, WA 99201			TAN, ALVIN H	
			ART UNIT	PAPER NUMBER
			2172	
DATE MAILED: 01/18/2011				

Determination of Patent Term Adjustment under 35 U.S.C. 154 (b) (application filed on or after May 29, 2000)

The Patent Term Adjustment to date is 637 day(s). If the issue fee is paid on the date that is three months after the mailing date of this notice and the patent issues on the Tuesday before the date that is 28 weeks (six and a half months) after the mailing date of this notice, the Patent Term Adjustment will be 637 day(s).

If a Continued Prosecution Application (CPA) was filed in the above-identified application, the filing date that determines Patent Term Adjustment is the filing date of the most recent CPA.

Applicant will be able to obtain more detailed information by accessing the Patent Application Information Retrieval (PAIR) WEB site (<http://pair.uspto.gov>).

Any questions regarding the Patent Term Extension or Adjustment determination should be directed to the Office of Patent Legal Administration at (571)-272-7702. Questions relating to issue and publication fee payments should be directed to the Customer Service Center of the Office of Patent Publication at 1-(888)-786-0101 or (571)-272-4200.

Notice of Allowability**Application No.**

10/782,732

Examiner

ALVIN H. TAN

Applicant(s)

MOHAMMED ET AL.

Art Unit

2172

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 9/21/10.
2. ☒ The allowed claim(s) is/are 1, 4, 7-9, 11-15, 17, 19, 20, 23, 24, 26, 29, 30, 33-35, 40, and 41.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some* c) ☐ None of the:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.
THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
(a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
(b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☐ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☒ Information Disclosure Statements (PTO/SB/08),
Paper No./Mail Date 5/10/04, 1/24/08, 9/21/10
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application
6. ☐ Interview Summary (PTO-413),
Paper No./Mail Date _____.
7. ☒ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____.

Remarks

1. This Office action is responsive to the Request for Continued Examination (RCE) filed under 37 CFR §1.53(d) for the instant application on 9/21/10. Applicants have properly set forth the RCE, which has been entered into the application, and an examination on the merits follows herewith.

This Office action is responsive to the amendment filed on 9/21/10, which has been entered in the above identified application.

Information Disclosure Statement

2. Non patent literature documents 10 (Olson, Robert et al), 11 (Engel, Klaus et al), and 12 (Engel, K., et al) of the information disclosure statement filed 5/10/04 fails to comply with the provisions of 37 CFR 1.97, 1.98 and MPEP § 609 because applicants failed to provide a publication date as required by 37 CFR 1.98 (b)(5).

3. Non patent literature document 3 (Dunn, et al) of the information disclosure statement filed 1/24/08 fails to comply with the provisions of 37 CFR 1.97, 1.98 and MPEP § 609 because applicants failed to provide a publication date as required by 37 CFR 1.98 (b)(5).

4. The Information disclosures have been placed in the application file, but the information that has been stricken by the examiner has not been considered as to the

merits. Applicant is advised that the date of any re-submission of any item of information contained in this information disclosure statement or the submission of any missing element(s) will be the date of submission for purposes of determining compliance with the requirements based on the time of filing the statement, including all certification requirements for statements under 37 CFR 1.97(e). See MPEP § 609.05(a).

EXAMINER'S AMENDMENT

5. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it **MUST** be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Kristina Kuhnert on 1/4/11.

6. The application has been amended as follows:

Please amend claims **1, 7, 8, 12, 17, 20, 24, 26, 29, 33, and 35** as follows:

Claim 1:

On *[line 12]* of the claim, please change "a dynamic change" to --dynamic changes--.

On [line 16] of the claim, please change "adding a node to the media timeline, removing a node of the media timeline, or changing a node of the media timeline" to --adding a node to the media timeline--.

Claim 7:

On [line 2] of the claim, please change "the application" to --an application--.

Please amend Claim 8 as follows:

A method as described in claim 1, wherein at least one node of the one or more nodes referencing respective media is configured to reference an effect to be applied to an output of the respective media referenced by the at least one node.

Please amend Claim 12 as follows:

A computer-implemented method comprising computer-executable instructions, the method comprising:

receiving a call from an application over an API for rendering a media timeline, wherein:

the media timeline includes a plurality of nodes, wherein the plurality of nodes comprises at least a parent node and a child node;

two or more nodes reference respective media;

the media timeline defines one or more presentations including media;

rendering the media timeline to output each presentation to an output device, wherein the rendering further comprises dividing the media timeline into the one or more presentations such that each presentation describes a collection of software components utilized to render media for a particular interval of time, wherein the collection of software components include a transform and comprise at least one of a timeline source configured to support a dynamic changes to the media timeline, a media source, a media session, a media engine, a source resolver, and a media sink;

generating, by a node, one or more events ~~utilized to inform all other nodes of a node tree affected by the one or more events of a dynamic change in the media timeline, the change performing at least one of the following: that dynamically change the media timeline. the dynamic change comprising:~~

~~changing to a property of the at least one node;~~

~~adding one or more additional nodes as a child to the at least one node;~~

~~removing one or more nodes that are children of the at least one node;~~

~~adding an effect to the at least one node; and~~

~~removing an effect from the at least one node;~~

loading each software component described by a first collection;

executing each software component described by the first collection; and

loading each software component described by a second collection.

Please amend Claim 17 as follows:

A method as described in claim 12, wherein at least one node of the two or more nodes referencing respective media is configured to reference an effect to be applied to an output of the respective media referenced by the at least one node.

Please amend Claim 20 as follows:

One or more computer-readable storage media comprising computer executable instructions that, when executed on a computer, direct the computer to divide a media timeline into one or more presentations, wherein:

the media timeline is for exposure via an API to one or more applications;

the media timeline includes a plurality of nodes, wherein the plurality of nodes comprises at least one node configured to generate one or more events communicated to at least one parent node and a child node, the one or more events dynamically changing the media timeline, the dynamic change comprising adding a node to the media timeline, and the communicating comprising subscribing to receive an indication of an event that affects the parent node or the child node;

at least two nodes reference respective media;

each presentation describes rendering of respective media to an output device for a particular interval of time, wherein each presentation describes a collection of software components that, when executed, provide the described rendering of media for the particular interval of time, and wherein the collection of software components include a transform and comprise at least one of a timeline source configured to support

a dynamic changes to the media timeline, a media source, a media session, a media engine, a source resolver, and a media sink; and

the one or more computer-readable storage media further comprises computer executable instructions that, when executed on the computer, direct the computer to:

load each software component described by a first collection;

execute each software component described by the first collection; and

load each software component described by a second collection.

Please amend Claim 24 as follows:

The one or more computer-readable storage media as described in claim 20, wherein at least one node of the at least two nodes referencing respective media is configured to reference an effect to be applied to an output of the respective media referenced by the at least one node.

Please amend Claim 26 as follows:

A system comprising:

a memory;

a processor coupled to the memory;

a plurality of media;

a plurality of applications; and

an infrastructure layer that:

provides an API for the plurality of applications which exposes a media timeline that describes one or more presentations of the plurality of media; and

manages rendering of the one or more presentations, wherein each presentation describes rendering of media to an output device for a particular interval of time, and wherein each presentation describes a collection of software components configured for dynamic loading such that the collection of software components provide the described rendering of the media for the particular interval of time, wherein the collection of software components include a transform and comprise at least one of a timeline source configured to support a dynamic changes to the media timeline, a media source, a media session, a media engine, a source resolver, and a media sink, wherein the collection of software components are loaded only when needed,

the media timeline includes a plurality of nodes;

at least two nodes reference respective media; and

~~at least one node is configured for communication of events generated by the at least one node, the events utilized to inform all other nodes of a node tree affected by the events of a change to be made to the structure of the media timeline while the media timeline is rendered~~ generating, by at least one node, one or more events that dynamically change the media timeline, the dynamic change comprising adding a node to the media timeline.

Claim 29:

On [line 3] of the claim, please change "described" to --described by a respective presentation--.

Claim 33:

On [line 8] of the claim, please change "adding a node to the media timeline, removing a node of the media timeline, or changing a node of the media timeline" to --adding a node to the media timeline--.

Claim 35:

On [line 2] of the claim, please change "topology is for" to --topology for--.

Allowable Subject Matter

7. Claims 1, 4, 7-9, 11-15, 17, 19, 20, 23, 24, 26, 29, 30, 33-35, 40, and 41 are allowed.

8. The following is an examiner's statement of reasons for allowance:

Examiner has carefully considered claims 1, 4, 7-9, 11-15, 17, 19, 20, 23, 24, 26, 29, 30, 33-35, 40, and 41. None of the cited arts of records discloses, suggests, nor teaches a method, computer readable storage medium, system, or timeline source comprising a media timeline having one or more nodes referencing respective media

and divided into one or more presentations wherein each presentation describes a rendering of the media for a particular interval of time, and wherein each presentation describes a collection of software components that, when executed, provides the described rendering of the media for the particular interval of time, wherein the collection of software components include a transform and comprise at least one of a timeline source configured to support dynamic changes to the media timeline, a first media source, a media session, a media engine, a source resolver, or a media sink; generating, by a node, one or more events that dynamically change the media timeline, the dynamic change comprising adding a node to the media timeline.

The closest prior art, Sheasby et al (U.S. Patent No. 6,539,163 B1), discloses using non-linear editors where clip objects representing the material being edited are positioned and manipulated with respect to a timeline to create an output sequence for the work being created [*column 1, lines 14-20*]. Conventional NLE system have permitted video, computer generated graphics, audio, and indirectly, film media to be edited and various effects to be applied to the media [*column 1, lines 20-23*]. A non-linear editing system sequence has clips within a timeline [*figure 1; column 3, lines 10-25*] using parent and child sequences [*column 4, lines 4-8, 20-34*]. Sequences are played back on output devices [*column 9, lines 41-47*]. Each track may include multiple clips [*column 3, lines 10-20*] as well as various effects applied to the clips [*column 3, lines 20-25*]. The parent/child sequences allow modification of a child sequence to be automatically used by the parent sequence without requiring a separate modification

[column 6, lines 13-20]. Reference clips are loaded and played back [column 6, lines 53-63]. Sheasby does not teach all the limitations above.

Similar subject matter is disclosed in independent claims 12, 20, 26, and 33.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

9. Any inquiry concerning this communication or earlier communications from the examiner should be directed to ALVIN H. TAN whose telephone number is (571)272-8595. The examiner can normally be reached on Mon-Fri 9:00-5:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Boris Pesin can be reached on 571-272-4070. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Alvin H Tan/
Primary Examiner, Art Unit 2172